

Key Figures

121

Number of Police deployed

*(Arua, Kyangwali, Kiryandongo)

14

Number of female Police deployed

*(Arua, Kyangwali, Kiryandongo)

20

Number of Police Posts in Refugee Settlements

*(Arua, Kyangwali, Kiryandongo)

36

Number of Refugees that received legal Assistance

*(Kyangwali, Kiryandongo)

3,940

Number of Refugees reached during community Sensitization

*(Arua, Yumbe, Mbarara, Hoima)

07

Number of Packages Provided by UNHCR (Fuel, accommodation, WASH facilities, protection house, vehicle, motorbikes and transport)



Mobile court session in Zone 2, Yumbe

Physical Safety and Security

- In Arua, there were 177 (107 refugee, 70 nationals) crimes reported during the month. Rhino camp with 122 (72 refugees, 50 nationals) recorded the highest number while Imvepi had 51 (34 refugees, 17 nationals) and Lobule had 4 (1 refugees and 3 nationals) cases. There was a 10% decrease in the crime rate registered in February in comparison to the previous month. There is need to interrogate factors that led to that decrease.
- In the three settlements of Arua, Physical assault remained the highest reported case followed by theft, threatening of violence and domestic violence. Multi-sectoral protection interventions need to be strengthened to further reduce the rate of crime.
- The Arua operation has 89 (08 Lobule, 39 Imvepi and 42 Rhino) community watch groups comprised of 343 members. The community watch members work in close collaboration with security secretaries on the Refugee Welfare Committee (RWC) structures of the respective villages. As a measure to register their effectiveness, the operation has embarked on plans to continue to support the structures through capacity building to ensure respect and dignity of the refugees and provide them with necessary facilities to serve in a timely manner.
- In Rwamwanja, 16 (6F/10M) persons of concern (PoCs) are hosted in a protection house. They include 9 children (3F/6M) who are under a female care giver.
- 66 cases involving refugees were recorded at Kyangwali police station. Investigations were completed in 10 cases and the files were forwarded to resident state attorney for perusal and advice, 13 handled jointly with child and family protection unit and SGBV sector, as investigations are still ongoing in 43 cases. The nature of cases reported include disappearance, failure to provide, domestic violence, theft, assault, arson, loss of attestation cards, defilement, malicious damage of property, obtaining money by false pretence among other offences.
- In Yumbe, the police was supported with stationary such as reams of paper, Police Forms and logistics for investigation, transportation of survivors/victims for medical examination and visiting scene of crimes.

- Additionally, 48 (25F/23M) cases were registered by the legal team in Yumbe. 30 cases were successfully resolved and 18 were referred to Police for further investigations and prosecution. The highest reported cases were assault (11), domestic violence (7), trespass (7), theft (7), arson (5), child neglect (5), defilement (2), attempted suicide (2), and indecent assault (2). 04 cases of combatants (males) in Zone 1 followed up their cases and were provided legal counselling and coordination with police.

Access to Legal Assistance and Legal Remedies

- In order to strengthen legal assistance and facilitate access to justice for refugees, UNHCR is providing legal assistance to PoCs and bringing the court closer to the community through its partners including by twinning with the Ugandan Law Society. Key activities included provision of pro-bono legal services; community sensitization; legal mobile outreaches; legal counselling/advice to survivors of SGBV and others; detention monitoring; training of police and capacitating community structures. As of Feb 2019, 1,794 refugees were reached with legal assistance in areas inter alia legislative awareness & legal counselling in the settlements of Imvepi, Rhino and Lobule and detention facilities of Arua and Koboko.
- In Rwamwanja, 20 PoCs (10M/10F) were attended to under alternative dispute resolution by Baraza courts that are community based community structures.
- Legal counselling was provided to 121 (98M/23F) PoCs in Kyaka. Additionally, one community awareness campaign on refugee rights was conducted in Kakoni Zone reaching 121(76M, 45F) individuals.
- In Kyangwali, individual legal counselling was accorded to 18 cases involving 26 (11F/15M) PoCs: 01 case of defilement, 02 cases of child maintenance, 01 case of child to child sex, 05 cases of domestic violence mediated, 01 case of destruction of property, 01 case was advised on the procedures of swearing an affidavit and aided to draft the same, 01 case of failure to pay successfully mediated, 02 cases of theft referred to police for investigations, 01 case of assault mediated, 01 neighbourhood dispute mediated, 02 cases engaging children in conflict with the law settled and the juveniles cautioned.
- HIJRA and MIT conducted an awareness session to address the vice of witchcraft in Maratatu D. The

attendees were sensitized on the legality of witchcraft, domestic violence and parental responsibility to take children for medical attention. A strong belief in witchcraft among the community was noted, that requires continuous sensitization with the community.

- 08 criminal cases were court-listed and tried before the High Court in Arua on 28th February 2019. All accused persons were charged and sentenced on their plea on guilt. They were transported by LWF for trial. The cases included: 03 rape, 02 murder and 02 aggravated defilement cases.
- In Yumbe, 1,174(654F/520M) refugees and members of the host community received legal assistance through legal counselling, legal information sessions on rights and obligations of refugees and key laws of Uganda, case management in the settlement and in detention facilities. Specific sessions were conducted in women centres, schools and detention facilities in collaboration with OPM, UNHCR, police and partners.
- 55 (F33/M22) refugees and other PoCs in Yumbe were supported to access justice through community based paralegals who addressed civil cases through alternative dispute resolution mechanisms with support of the legal team. The cases supported were contracts, debt claims, land wrangles, child neglect and minor assault with no injury of persons.
- In Rwamwanja, 3 village meetings were held and 504 (420F/84M) were sensitized on refugee law and rights including criminal conduct, RWC responsibilities, PSEA, reproductive health and domestic violence in Mahega, Kyempango C and Buguta villages.

Mobile court sessions

- Three mobile court sessions were held for the Grade 1 Magistrate at Nkoma Sub County in Rwamwanja. The session was attended by 70 (3F/67M) people.
- One mobile court session was held in Kyaka. 18 criminal cases involving 27 POCs were scheduled. Legal representation was provided by the Refugee Law Project (RLP) and 8 witnesses were facilitated to attend court session.
- One mobile court session was supported and held in Yumbe Zone 2 where 13 cases were handled during the mobile court session. 04 accused persons were convicted and sentenced, 01 case dismissed, and 05 cases were adjourned for further

investigations and prosecution. The session facilitated expeditious handling of cases.

Detention monitoring

- As of 31 February, UNHCR had distributed 20 kitchen sets, 200 pieces of sleeping mats and 16 boxes of laundry soap to Koboko penitentiary. It also distributed 4 boxes of laundry soap to Arua Remand Home and 100 pairs of tom shoes to Arua main prison and Remand Home. The purpose of material support was to address the protection needs of refugee inmates identified during previous visits and also to ensure that their fundamental human rights are protected and promoted while they are in the said correctional facilities.
- Further, in February 2019, UNHCR, OPM and implementing partners had conducted 03 joint detention monitoring visits to Arua main prison, Remand Home and Koboko prison. There are 91 (6F/85M) refugees in Arua main prison of the 772 inmates. The refugees are from Imvepi, Rhino, Bidibidi and Adjumani settlements. There are 36 (32M/4F) refugees out of the 292 inmates in Koboko prison. As of 28th February, 10 refugees had appeared in courts of law in 2019
- A two day detention monitoring activity was conducted in Olia and Openzizi prison. RLP, LWF and OPM participated in the activity. Olia prison had 168 convicts, 20 of whom are refugees. In Openzizi prison, of the 512 inmates, 51 are refugees.
- Six visits to police and prisons detention facilities were undertaken in Yumbe. 48 (3F/45M) refugees were identified. The facilities visited include Yumbe and Bidibidi prisons, Yumbe Central Police Station, and Swinga, Yoyo, Odravu and Bidibidi police posts. The team conducted detention monitoring and visits and conducted counselling sessions and legal awareness for the inmates on rights of accused persons and criminal trial procedure in Uganda. The team facilitated reintegration of released prisoners back to the settlement and family visits.

Capacity building

- Weekly meetings were held by the legal team with 126(46F/80M) community based paralegals to enhance their capacity in alternative dispute resolution mechanisms and record keeping. Material support in the form of reflector jackets, counter books, and pens were given to the

paralegals. In some locations, paralegals withdrew from the systems and noted that they cannot work voluntarily hence creating gaps which the team is mapping and will fill with support from the leaders.

- 127 (88M/39F) community based paralegals and SGBV volunteers were trained on SGBV and human rights.

Community policing

- The Uganda police together with HIJRA conducted a community policing session in Maratatu D to inform PoCs on the basic laws of Uganda. The 153 (83M/70F) attendees were sensitized on the nature of cases (civil and criminal). They were informed on the cases they could handle at the communal level and the need to immediately refer capital offences to police. PoCs were further informed of the alternative dispute resolution (ADR) mechanisms and encouraged to refer cases when the mechanisms fail. Further, the facilitators emphasized women's rights (with emphasis on the legal implications of domestic violence), children's rights, parental obligations and above all peaceful co-existence. The key issues raised by the community included the limited support availed to PSNs during food collection and witch craft.

Coordination

- The legal team participated in the district coordination committee meeting in which key actions aimed at enhancing and improving access to expedited justice were discussed. The actions discussed include holding mobile court sessions in the settlement, holding plea bargaining sessions in prisons, legal information sessions on criminal trial procedures and rights of accused persons and legal counselling, joint detention visits and supporting detention facilities with NFIs and stationaries for effective service delivery. A total of 20 (4F/16M) individuals were in attendance
- In Adjumani, the Legal working group meeting was held on 21st February at UNHCR. It was agreed that there is need to enhance coordination through conducting joint activities and to share annual and quarterly work plans.
- The inter-agency forum that incorporates Government actors drawn from the Law enforcement and the administration of Justice Sectors namely, Judiciary, Prisons, State Law Office, Welfare & Probation Department, alongside OPM, UNHCR and Partners, met on 21st

February to discuss ways of improving refugees' access to legal remedies. Among the main achievements of this working group is the realization of the mobile court initiative in all settlements in Arua district, the categorization of refugees as vulnerable litigants resulting in prioritization of refugee cases in courts, implementation of complementary Partners programs on legal aid/assistance to refugees in conflict or contact with the law, among other dividends. The meeting discussed the main activities planned for 2019 including the yearly schedule of mobile court activities. The legal working group interfaces with the District Coordination Committee that plan on local JLOS programs in the local jurisdiction.

- Validation Meeting of the Draft Programme document on rule of law, access to justice needs of refugees took place in Kampala. The aim was to inform Joint Programming for UNDP and UNHCR to ensure that humanitarian-development nexus is strengthened. The outcome of the research conducted by LASPNET in Arua and Isingiro included the high costs associated with accessing justice, the lengthy court processes and high level of criminality. The report will be launched on 5th March in Kampala.

Gaps Identified

There are a number of specific obstacles stifling provision of access to justice for POCs. The following challenges continue to persist:

- Lack/limited facilities for holding juvenile offenders at police posts, this often leads to detention of children together with adults.
- Need for alternative feeding systems for inmates in detention. Inmates with no relatives in settlements especially the new arrivals are forced to starve while they await their appearance before the Magistrate.
- Inadequate facilitation of Court personnel which is a demotivating factor that affects execution of Court duties and participation in Mobile Courts.
- PoC's Ignorance of the laws of Uganda coupled with limited knowledge of Court procedures continues to affect administration of justice.
- Limited number of judicial officers to handle cases often causes delays in trials especially for capital offences leading to case backlog.
- Inadequate facilitation of police including

insufficient fuel for police vehicles, inadequate number of vehicles and insufficient accommodation. Insufficient accommodation for the police continues to affect presence of police in settlements. The international standard requires that one (1) police officer is deployed per 500 individual; the current numbers fall below the required standard.

- Language barrier at the police and court remains a challenge for the witnesses, this is coupled with difficulty in accessing interpreters for court leading to failure to take plea in addition to failure to access sureties on grounds that refugees lack fixed places of aboard.
- Some prisons are faced with limited accommodation leading to congestion. Additionally, some facilities lack fences and permanent latrines.
- Poor and prolonged investigation of cases due to lack of facilitation in form of transport costs leading to frequent adjournments, poor turn up of witnesses to Police and court to testify and lack of investigative skills in handling cases among others.
- Delay in reporting of cases continues to be a challenge as it may affect outcomes of cases especially where material evidence is missing or tampered with.

Partners Implementing Access to Justice Response

Partners: IRC, HIJRA; DRC, ULS, ARC, RLP; InterAid Uganda, CAFOMI

Operational Partners: UNDP, LASPNET

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